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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 99-499)

OFFICIAL  
PATENT  
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DEC 29 2003

In the Application of:

Chou et al.

Serial No.: 08/903,944

Filing Date: July 31, 1997

For: Production of Transgenic Poinsettia

Examiner: D. Fox

Group Art Unit: 1638

Confirmation No.: 3007

FACSIMILE TRANSMITTAL LETTER

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Facsimile: 1-703-872-9306  
Total Pages: 20

Dear Sir:

In regard to the above identified application.

1. We are transmitting herewith the attached:

a) Response to the Office Action mailed September 26, 2003.

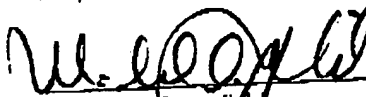
2. With respect to fees:

a) A fee is not required at this time.

b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF FACSIMILE UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being transmitted via facsimile (703-872-9306) to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 29, 2003.

Respectfully submitted,

  
Michael S. Greenfield  
Registration No. 37142

Dated: December 29, 2003

McDonnell Boehnen Hulbert & Berghoff  
300 South Wacker Drive, 32nd Floor  
Chicago, IL 60606  
(312)913-0001

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RESPONSE TO THE OFFICE ACTION MAILED SEPTEMBER 26, 2003

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please consider the following amendments and remarks made in response to the Office Action mailed September 26, 2003.

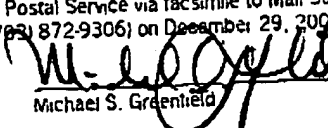
**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 18 of this paper.

**CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service via facsimile to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 (fax no. (703) 872-9306) on December 29, 2003.

Date: December 29, 2003

  
Michael S. Greenfield